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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,450	11/20/2003	Keisuke Fukushima	2003_1617A	6643
513	7590	11/16/2004	EXAMINER	
WENDEROTH, LIND & PONACK, L.L.P. 2033 K STREET N. W. SUITE 800 WASHINGTON, DC 20006-1021			BOSWELL, CHRISTOPHER J	
		ART UNIT	PAPER NUMBER	
		3676		

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/716,450	FUKUSHIMA, KEISUKE
	Examiner	Art Unit
	Christopher Boswell	3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
 THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 20 August 2004.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 6-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 6-25 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 20 November 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

### *Claim Objections*

Claims 13 and 16 are objected to because of the following informalities: Claims 13 and 16 recite the limitation of “a projection extending from said end wall of said recess” wherein the second engagement or holding portion do not have an end wall or recess, further more, nowhere in the recited claims are the first engagement and the second engagement, or the holding portion, are of a structurally integral construction. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 6-25 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 6,233,986 to Suzuki et al.

Suzuki discloses an electrically operated steering lock device comprising a lock bolt (14) which is movable between a protrusion position where a steering shaft (9) is locked and a retreat position where the steering shaft is unlocked, and a cam member (34) which is rotated by an electric motor (18) to actuate the lock bolt, as well as a rotation blocking means (43) which is electrically driven and which, when the lock bolt is placed at the retreat position, engages with a first engagement portion (28) to block rotation of the cam member; and

holding means (33b) for holding the rotation blocking means state that rotation of the cam member is blocked, as in claim 6.

Suzuki also discloses that the first engagement portion is in the cam member (figure 5), as in claims 7 and 17, and where the cam member acts to move the lock bolt to the protrusion position when the electric motor is rotated forward (column 7, lines 49-59), and to move the lock bolt to the retreat position when the electric motor is rotated reverse (column 8, lines 45-49), as in claims 8, 18, and 22, as well as the holding means is a second engagement portion (33b) formed in the cam member, and in a state that engagement with the second engagement portion has been released by reverse rotation of the electric motor, the lock bolt is protrudable by forward rotation of the electric motor (column 8, lines 50-61), as in claims 9, 19, and 23, wherein a cam portion (23) of the cam member is formed in such a manner that the lock bolt is not actuated at a time of release operation that the engagement with the second engagement portion is released by reverse rotation of the electric motor (column 8, line 62-column 9, line 2), as in claims 10, 20, and 24, further comprising lock bolt holding means (45) for holding the lock bolt at the retreat position while the lock bolt is placed at the retreat position, as in claims 11, 14, 21, and 25, and the rotation blocking mechanism comprises a solenoid (18) and an engagement member coupled to the solenoid (40), as in claims 12 and 15.

Suzuki further discloses the first engagement portion having an end wall (the ends of the gear portion) of a recess (figure 8) in the cam member, and the second engagement portion having a projection (the outermost radial end of 33b), where the rotation blocking member is engaged with the first engagement portion (figure 8), when the lock bolt is at the retreat position, by having the engagement member engages the end wall, and the second engagement portion is

to hold the rotation blocking mechanism (the second engagement portion contacts the damper member to hold the cam member in a position that prevents the cam member from rotation), in the state in which rotation of the cam member is blocked, as in claims 13 and 16.

*Response to Arguments*

Applicant's arguments filed August 20, 2004 have been fully considered but they are not persuasive. Regarding the argument that Suzuki fails to disclose a rotation blocking mechanism, the examiner respectfully disagrees, the gear mechanism of Suzuki does not freely move when not actuated by the force of the motor, therefore when the motor is not in an operational mode, the gear mechanism blocks rotation of the associated cam member, by simply preventing the cam member from moving as it is functionally meshed with the gear mechanism.

Regarding that Suzuki also fails to disclose a holding portion, wherein Suzuki discloses that the holding portion is elastically caught by a damper member, and thus holding the cam member, which is functionally meshed with the rotation blocking mechanism, in a state so that it is blocked from movement, column 8, line 50-column 9, line 2.

*Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Boswell whose telephone number is (703) 305-4067. The examiner can normally be reached on 8:30 - 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703) 308-2686. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



CJB   
November 5, 2004

DANIEL P. STODOLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600